

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:22-cv-08668-DSF-JDE

Date May 5, 2025

Title Lonnie MoNique Williams Mootry v. Barry J. Nidorf Juvenile Hall, et al.

Present: The Honorable Dale S. Fischer, United States District Judge

Dominique Carr

n/a

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

n/a

n/a

Proceedings: (In Chambers) Order Dismissing Action Without Prejudice [JS-6]

On October 14, 2022, Plaintiff Lonnie MoNique Williams Mootry filed a Civil Rights Complaint (Dkt. 1) and a Motion to Proceed In Forma Pauperis (Dkt. 2) in the United States District Court for the Eastern District of California. On November 23, 2022, the Eastern District transferred the action to this Court. Dkt. 6.

On December 2, 2022, the Court denied Plaintiff's IFP Request and directed Plaintiff to pay the full filing fee within 30 days or the case would be dismissed without prejudice. Dkt. 9 ("First Order"). On January 3, 2023, Plaintiff filed objections to the First Order. Dkt. 10. Construing Plaintiff's objections as a Motion for Reconsideration of the First Order, on January 9, 2023, the Court denied the Motion for Reconsideration, but provided Plaintiff an additional 30 days, that is, until February 8, 2023, to pay the applicable filing fee, directing that the case would be dismissed without prejudice if Plaintiff failed to do so. Dkt. 11 ("Second Order").

Plaintiff did not pay the applicable filing fee by February 8, 2023. Plaintiff instead filed a Notice of Appeal on January 23, 2023, Ninth Circuit Court of Appeals Case No. 23-55084. Dkt. 12, 14. Other than a Notice of Change of Address filed by Plaintiff on February 21, 2023, the docket reflects no further filings in this Court. However, a review of the Ninth Circuit docket reveals that on November 17, 2023, the Circuit issued an Order dismissing Plaintiff's appeal, finding it "so insubstantial as to not warrant further review." Lonnie Clark Williams, Jr., AKA Lonnie MoNique Williams Mootry v. Barry J. Nidorf Juvenile Hall, et al, Case No. 23-55084, Dkt. 2 (9th Cir. Nov. 17, 2023). The Circuit's dismissal order states it was "served on the district court for the Central District of California," directing that the order itself "shall constitute the mandate of this court." Id. The order was not, however, entered onto the docket in this Court.

As more than 30 days have passed since the entry of the Second Order, even accounting for any time that this Court lacked jurisdiction based on the then-pending appeal, and as Plaintiff has not paid the filing fee, the action is ordered DISMISSED without prejudice [JS-6]. The Clerk's

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Office is directed to enter the Ninth Circuit's Order dated November 17, 2023 dismissing Plaintiff's appeal onto the docket in this action.

IT IS SO ORDERED.

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